



Two of the principal parties to the Petition, the Association of Maximum Service Telecasters ("MST") and the National Association of Broadcasters ("NAB"), have taken a leading role in mobilizing the broadcasting industry effort to develop and evaluate proposed advanced or "high definition" television systems ("HDTV") for terrestrial broadcasting in the United States. MST and NAB have prepared comments which respond in detail to the variety of complex technical and engineering issues posed by the NOI. INTV concurs in the comments of MST and NAB. INTV files these separate comments to emphasize the concern of independent television broadcast stations in this proceeding: that it is absolutely imperative to the future of this nation's free, advertiser-supported television system for the Commission to assure that local television broadcast stations have the means and the fair opportunity to provide high-quality, fully competitive HDTV service to the general public in their local communities.

It is no exaggeration to state that the Commission's ultimate resolution of the questions presented in the NOI will determine the viability and universality of America's free television system in the Twenty-First Century. It is already clear that HDTV will be at least as revolutionary an improvement in television service as the advent of color television in the early 1960s. If Commission policy permits the nation's broadcast stations to implement an HDTV system that is equal in quality to those developed for cable television, direct broadcast satellite

("DBS") and other satellite video services, and videocassette recorders ("VCRs"), the free television system will be able to continue to fulfill its mission to provide the highest-quality, locally-oriented news, information and entertainment programming to the entire public without charge.

If, however, the Commission relegates broadcasting to an inferior, obsolescent technology compared to the HDTV services offered by other video delivery systems, free broadcasting will be unable to compete effectively with these subscription-based media, and the paramount federal communications policy objective -- and present-day reality -- of free, universal television service for all the people will be irreparably injured. In this regard, one need only reflect on the rapid decline of AM radio and ascendancy of FM stereo radio, which in a real sense constitutes "high definition radio." AM radio, which once claimed 100% of the radio audience, today retains only 28% of that audience, and consequently is a service in serious trouble. Independent television stations in particular need to be able to provide fully competitive HDTV service to the public in order to maintain the audience and revenue base necessary to obtain the most popular entertainment programming and to support continued production of their locally-oriented news, information and public affairs programming.

As the Comments of MST and NAB demonstrate, several of the more fundamental and complex questions posed by the NOI cannot be answered definitively until further HDTV system development,

testing and evaluation, the adoption of a uniform HDTV standard and actual system implementation have occurred. That effort is already well under way, with a realistic goal of introducing true broadcast HDTV to the general public in 1992 or 1993.<sup>1/</sup> It is already clear, however, that a key objective of a broadcast HDTV system must be maximum compatibility with existing NTSC receivers and with local broadcast stations' existing 6 MHz channels.<sup>2/</sup> The \$80 billion investment of American consumers in NTSC receivers cannot be disregarded by either the Commission or by broadcasters while the transition to true HDTV receivers takes place, nor should the established present system of television channel allotments be discarded. Other issues -- notably, the spectrum requirements for broadcast HDTV -- cannot be resolved until the various candidate HDTV systems have been tested and evaluated in terms of relative quality, performance and interference protection requirements. It is probable that some augmented channel capacity will be necessary to provide fully competitive, high quality broadcast HDTV, but uncertain whether additional spectrum allocations will be necessary to accommodate this need.

In any event, it has become apparent that the Commission must not reallocate additional UHF spectrum to land mobile radio services, as proposed in General Docket 85-172, at least until

---

<sup>1/</sup> See NAB Comments at § II.

<sup>2/</sup> See MST Comments at § II.A.2; NAB Comments at § VI.

the spectrum needs of a yet-to-be-adopted broadcast HDTV system are determined. It has already been demonstrated that the Japanese NHK "MUSE" HDTV system, comparable in quality to 35mm film, can be distributed via satellite, cable and VCR.<sup>3/</sup> However, the existing constraint of 6 MHz-wide channels makes it impossible for broadcasters to provide wideband HDTV of comparable quality. While so-called "extended definition television" (EDTV) systems using 6 MHz-compatible transmissions could offer substantial improvements over existing picture quality, the proponents of such proposed systems acknowledge that the EDTV method is totally unproven in a non-laboratory setting, and in any event these improvements would fall well short of full HDTV quality.<sup>4/</sup> It is imperative that the Commission, in its desire to resolve broadcast HDTV spectrum allocation issues "as quickly as possible,"<sup>5/</sup> does not rush to a judgment that will prevent the free broadcast television system from providing, and the general public from receiving, HDTV services of the same high quality as those available through competing subscription-based video technologies.

The American free television system, which Congress and the Commission created and of which the nation can be justly proud, was designed to ensure that "as many communities as possible

---

<sup>3/</sup> See MST Comments at § I.B.

<sup>4/</sup> Id. at § III.A. See also Communications Daily, Nov. 18, 1987 at p. 4.

<sup>5/</sup> NOI at ¶ 41.

should have the opportunity of enjoying the advantages that derive from having local outlets that will be responsive to local needs." Television Assignments (Sixth Report and Order), 41 FCC 148, 172 (1952). In enacting the All-Channel Television Receiver Act of 1962,<sup>6/</sup> Congress declared: "The goal which is being sought is a television system which will serve all the people, encourage local outlets, foster competition . . . and meet educational needs." Congress viewed the Act as a "way in which the American people can be assured of the benefits of television service to the fullest degree."<sup>7/</sup> The Commission now is faced with the opportunity and the challenge of preserving the ability of all Americans to enjoy the benefits of television service "to the fullest degree," by enabling broadcasters to significantly enhance the quality and value of the television service delivered to viewers, including the quality of locally-oriented television service.

The broadcasting industry has mobilized to meet the public's desire for HDTV, and has shown its commitment to invest millions of dollars in new transmission facilities and equipment to make HDTV reception available to all Americans without charge.<sup>8/</sup> However, the Commission must not act hastily to resolve the important issues in this proceeding before the development, testing and evaluation of proposed broadcast HDTV systems is completed. If it does, broadcast licensees may be prevented from

---

<sup>6/</sup> Public Law No. 87-529, 76 Stat. 150 (1962), codified (as amended) at 47 U.S.C. § 303(s).

<sup>7/</sup> H.R. Rep. No. 1559, 87th Cong., 2d Sess. 3, 9 (1962).

<sup>8/</sup> See NAB Comments at § VIII.

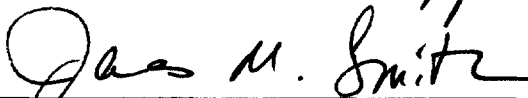
offering fully competitive, high quality HDTV service. The long-term result of such a shortsighted policy would be to demote over-the-air free broadcasting to a second-class status vis-a-vis non-broadcast subscription video services. Such a result would irreparably injure the financial base of the free television system and would be a catastrophic blow to the fundamental public interest objective of making high-quality local television services available to all the people of the United States without charge.

Accordingly, INTV urges the Commission to proceed with caution in this proceeding, by awaiting the results of the ongoing broadcasting industry effort to test, evaluate and adopt standards for a broadcast HDTV system and by avoiding any precipitous action -- especially in the area of spectrum allocations -- that could retard the development of fully competitive, high-quality broadcast HDTV service.

Respectfully submitted,

ASSOCIATION OF INDEPENDENT  
TELEVISIONS STATIONS, INC.

By:   
J. Laurent Scharff

  
James M. Smith

PIERSON, BALL & DOWD  
1200 18th Street, N.W.  
Washington, D.C. 20036  
(202) 331-8566

Its Attorneys

November 18, 1987